

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

GARY RHINES,
Plaintiff

v.

UNITED STATES OF AMERICA,
Defendant

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CIVIL NO. 3:12-CV-1548

(JUDGE NEALON)
(MAGISTRATE JUDGE CARLSON)

JAN 29 2013

DEPUTY CLERK

ORDER

NOW, THIS 29th DAY OF JANUARY, 2013, for the reasons set forth in the

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (Doc. 8) is **ADOPTED**;
2. The complaint, (Doc. 1), is **DISMISSED**;
3. The amended complaint, (Doc. 9), is **ACCEPTED**;
4. Plaintiff's motions for leave to proceed in forma pauperis, (Docs. 2, 10), are **GRANTED**;
5. This matter is **REMANDED** to Magistrate Judge Carlson for further proceedings;
and
6. Any appeal will be deemed frivolous, without probable cause, and not taken in good faith.



United States District Judge